2011 ANNUAL REPORT

OF THE

CONFLICT OF INTEREST COMMISSIONER

February 17, 2012

Prince Edward Island **Île-du-Prince-Édouard**

Legislative Assembly **Assemblée législative**

Office of the Conflict of Interest Commissioner
PO Box 2000, Charlottetown PE
Canada C1A 7N8

Bureau du commissaire aux conflits d'intérêts
C.P. 2000, Charlottetown PE
Canada C1A 7N8

February 17, 2012

Hon. Carolyn Bertram, Speaker
Legislative Assembly
P.O. Box 2000
Charlottetown, PE
C1A 7N8

Dear Madam Speaker:

It is my honour and duty to submit to you the 2011 Annual Report of the Office of the Conflict of Interes: Commissioner for the period January 1, 2011 to January 30, 2012.

This report is submitted pursuant to section 3(1) of the *Conflict of Interest Act*, R.S.P.E.I. 1988, Cap. C. 17-1.

Yours very truly,

Neil Robinson
Commissioner

2011 ANNUAL REPORT OF THE CONFLICT OF INTEREST COMMISSIONER

This is the 2011 annual report of the Conflict of Interest Commissioner covering the period January 1, 2011 to January 30, 2012.

Annual Disclosure Requirements

All Members must complete and file with the Commissioner a Private Disclosure Statement disclosing all assets, income, liabilities and financial interests held by the Member, the Member's spouse or the Member's dependants. Such disclosure enables the Commissioner to assess any potential conflict of interest on the part of Members in carrying out their legislative or Executive Council responsibilities.

Where a potential conflict of interest is identified, a Member must end or reorganize those private interests or relationships that might impair their judgement in the discharge of their public duties. Such a reorganization may involve divestiture of certain assets or, in the case of Ministers, putting the assets in a "blind trust" as provided in the legislation.

Annually, each Member must meet with the Commissioner to review the Member's Private Disclosure Statement to ensure that the Member continues to be making full disclosure as required.

Each year, the Commissioner prepares a Public Disclosure Statement for each Member which is filed with the Clerk of the Legislative Assembly and accessible by the public.

In addition, on a semi-annual basis each year, the Commissioner reminds each Member of their statutory requirement to report any material change in their circumstances or the receipt of any gift or personal benefit. Each Member is required to file a Statement of Gift Or Personal Benefit or a Statement of Material Change where warranted.

During the subject year the Commissioner met with each Member as required and prepared the Public Disclosure Statements for each MLA which are filed with the Clerk of the Legislative Assembly and available for public review.

General Election

During the subject year, a general election occurred which required the Commissioner to provide advice to former Members and Ministers on their continuing responsibilities and to counsel newly elected Members and appointed Ministers on their new obligations under the legislation.

Investigations

The statute provides that a Member may request the Commissioner to give an opinion as to whether another Member has contravened the Conflict of Interest Act or a Parliamentary Convention of Prince Edward Island.

The Act also provides that by resolution, the Legislative Assembly may request that the Commissioner render an opinion as to whether a Member has contravened the *Act* or Parliamentary Convention.

Further, either the Premier or the Executive Council may ask the Commissioner for an opinion about whether a Member of the Executive Council has violated the Act or Parliamentary Convention of Prince Edward Island.

I am pleased to advise that there were no complaints laid against any Member during the past year.

Conclusion

Once again, I wish to express to the Legislative Assembly how impressed I am with the cooperation displayed by our elected representatives both past and present. Without exception, each Member and former Member has followed the advice or instructions provided by this Office.

In closing, I wish to again express my gratitude to the Clerk of the Legislative Assembly, Mr. Charles MacKay, and Ms. Cheryl Stead, Administrative Officer, for providing timely and welcome administrative support and advice.

February 17, 2012

Neil Robinson
Commissioner